

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
UNITED STATES OF AMERICA)	
)	
V.)	05-10089-PBS
)	
THOMAS B. ASELTINE)	
_____)	

**DEFENDANT'S MOTION TO
REDACT PRESENTENCE REPORT**

The defendant, Thomas Aseltine, hereby moves that this Court order that the Pre-sentence Report prepared by the United States Probation Department be redacted prior to its delivery to the United States Bureau of Prisons. In support of this motion, the defendant states that any information contained in the report about the defendant's father allegedly sexually abusing the defendant and his sister is untrue and not supported by any credible evidence. Similarly, any statements that the defendant sexually assaulted anyone is untrue and not supported by any credible evidence.

Inclusion of this information has the potential to be very harmful to the defendant. Any statements which allude to the fact that the defendant has sexually assaulted a person or has been sexually abused in the past can label

the defendant as a "skinner" within the jailhouse culture. Skinners are often preyed upon by other inmates both by physically and sexually assaulted.

Specifically, the defendant requests that the following be removed from the Pre-sentence Report:

1. **Paragraph 58, page 20:** The inclusion of this paragraph does not add any relevant information to the defendant's sentencing, nor his ultimate placement within the Bureau of Prisons. Instead, what it does, along with subsequent paragraphs regarding alleged sexual abuse, it creates a stigma that will surround the defendant in any prison he is placed. This type of information is often "leaked" to inmates and the defendant will be branded unfairly.

2. **Paragraph 59, page 21:** The inclusion of this paragraph does not add any relevant information to the defendant's sentencing, nor his ultimate placement within the Bureau of Prisons. Instead, what it does, along with subsequent paragraphs regarding alleged sexual abuse, it creates a stigma that will surround the defendant in any prison he is placed. This type of information is often "leaked" to inmates and the defendant will be branded unfairly.

3. Paragraph 63, page 22: The inclusion of this paragraph does not add any relevant information to the defendant's sentencing, nor his ultimate placement within the Bureau of Prisons. Instead, what it does, along with subsequent paragraphs regarding alleged sexual abuse, it creates a stigma that will surround the defendant in any prison he is placed. This type of information is often "leaked" to inmates and the defendant will be branded unfairly.

4. Paragraph 73, page 24: The relationship between the defendant and his step-father has always been problematic. The defendant states that he never "flew into rages that required him to be restrained on occasion." Other statements by the step-father are not only unsubstantiated, but are contradicted by the fact that there is no reference to them in the available DYS records.

5. Paragraph 74, page 25: Once again, the defendant objects to any reference of sexual abuse by his biological father or by the defendant. This information has no substantiated basis and will only cause unnecessary difficulties for the defendant in the Bureau of Prisons.

WHEREFORE, since this information will potentially extremely prejudicial to the defendant's incarceration and there is no credible evidence to support the statements contained therein, the above-referenced paragraphs should be excluded.

/s/Andrew M. D'Angelo

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